

O'BRIEN, BELLAND & BUSHINSKY, LLC

509 S. Lenola Road

Building 6

Moorestown, New Jersey 08057

(856) 795-2181

By: Steven J. Bushinsky, Esquire

W. Daniel Feehan, Esquire

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

TRUSTEES OF INTERNATIONAL
UNION OF PAINTERS AND ALLIED
TRADES DISTRICT COUNCIL 711
HEALTH & WELFARE FUND; et. al.,

Plaintiffs,

v.

PORTOFINO CONTRACTING, LLC,

Defendant.

Case No: 2:19-cv-14561-BRM-JAD

DEFAULT JUDGMENT

This matter having come before the Court on Plaintiffs' Request for Default Judgment, it is on this 22nd day of October 2019;

ORDERED and ADJUDGED that the Plaintiff Trustees of International Union of Painters and Allied Trades District Council 711 Health & Welfare Fund, *et. al.* recover of Defendant Portofino Contracting, LLC the sum of **\$97,809.32**, less payments received, which is inclusive of interest, liquidated damages, and attorneys' fees, as provided by law and to include additional interest thereon; and

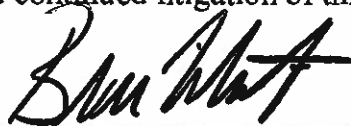
IT IS FURTHER ORDERED and ADJUDGED that Defendant, Portofino Contracting, LLC, shall, within ²¹ days of the date of this Order, submit to a payroll audit by producing all necessary payroll information to the Plaintiffs; and

IT IS FURTHER ORDERED and ADJUDGED that upon completion of the audit, Plaintiffs shall advise Defendant of the amount found to be due and owing, including contributions as well as interest and liquidated damages pursuant to 29 U.S.C. §1132(g); and

IT IS FURTHER ORDERED and ADJUDGED that within ten (10) days of receiving the results of the audit, Defendant shall remit to Plaintiffs all amounts due and owing to Plaintiffs thereunder; and

IT IS FURTHER ORDERED and ADJUDGED that should Defendant fail to remit the payment due pursuant to the payroll audit, Plaintiffs shall submit a petition to this Court for Judgment to be entered against Defendant for all contributions, interest and liquidated damages then due and owing, together with an application for fees and costs.

IT IS FURTHER ORDERED and ADJUDGED that this Court will retain active jurisdiction over the enforcement and continued litigation of this matter.



Brian R. Martinotti, U.S.D.J.